Writ Petition No. 851 (S/B) of 2001.

Virendra Singh Chauhan …… Petitioner

Versus

Principal Chief Conservator
Of forest, U.P. Lucknow and
Five others. …… Respondents.

Hon'ble P.C. Verma, J.
Hon'ble M.C. Jain, J.

A very short and trivial question is involved in this case, therefore, the learned counsel for the petitioner as well as the learned Chief Standing Counsel agreed that the petition may be disposed of finally. Therefore, we proceed to decide the writ petition finally.

The petitioner is regular Range Officer. He was removed from service after disciplinary proceeding. In an appeal preferred by the petitioner the appellate authority allowed the appeal of the petitioner and set aside the order of removal and reinstated the petitioner. The petitioner submitted his joining report on the post of Range Officer from the post which was held by him at the time of removal from service. The joining of the petitioner has not been accepted by respondent No. 6 Director, Raja Ji National Park, and he has rejected his joining report.

In our opinion, it was not justified for the Director, Raja Ji National Park to have rejected the joining report of the petitioner. In case, there was no vacancy of Range Officer, he ought to have sought clarification from the competent authority

regarding the posting of the petitioner it is stated by the learned counsel for the petitioner that the post of Rupin Range Officer is vacant and the charge has been handed over to another Range Officer in addition to his own charge of the Range.

In these circumstances, we dispose of the writ petition with the direction that the petitioner shall be allowed to work as Range Officer, Rupin Range, Raja Ji National Park until a fresh transfer order is passed by the competent authority.

The petition is disposed of accordingly.

P.C. Verma, J. **M.C. Jain, J.**

04.10.2001

P.Singh